

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

Attorney Docket No. \_\_\_\_\_

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

METHOD AND APPARATUS FOR SELECTING AN OPTIMAL SWAPPING TECHNIQUE  
IN DISCRETE MULTI-TONE SYSTEM

the specification of which is attached hereto unless the following box is checked:

- [ ] The specification was filed on \_\_\_\_\_  
and was assigned Serial No. \_\_\_\_\_  
(if known)  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and checked at right:

| Prior Foreign Application(s) |                        |           | Priority Claimed |    |
|------------------------------|------------------------|-----------|------------------|----|
| (Number)                     | (Month/Day/Year Filed) | (Country) | Yes              | No |
|                              |                        |           |                  |    |
|                              |                        |           |                  |    |
|                              |                        |           |                  |    |
|                              |                        |           |                  |    |

All foreign applications, if any, for any Patent or Inventor's Certificate filed more than 12 months prior to the filing date of this application:

| Country | Application No. | Date of Filing (Month/Day/Year) |
|---------|-----------------|---------------------------------|
|         |                 |                                 |
|         |                 |                                 |

I hereby claim the benefit under Title 35, United States Code, §119(e) or §120, as applicable, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status: patented, pending, abandoned |
|------------------------|-------------|--------------------------------------|
|                        |             |                                      |
|                        |             |                                      |

I hereby appoint the following attorneys to prosecute this application and/or any international application and to transact all business in the Patent and Trademark Office connected therewith:

|  |   |
|--|---|
| Daniel W. Sixbey, (Reg. No. 20,932)      | Stuart J. Friedman (Reg. No. 24,312)      |
| Charles M. Leedom, Jr. (Reg. No. 26,477) | Gerald J. Ferguson, Jr. (Reg. No. 23,016) |
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorize any U.S. attorney or agent named herein to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys or agents named herein will be so notified by the undersigned.

|   |   |                  |
|---|---|------------------|
| FULL NAME OF SOLE OR FIRST INVENTOR<br>Tsai, Shang-Ho   | INVENTOR'S SIGNATURE<br> | DATE<br>04/17/01 |
| RESIDENCE (City, State & Country)<br>Kaohsiung, Taiwan  | CITIZENSHIP<br>Taiwan   |                  |
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|   |  |                  |
|---|--|------------------|
| FULL NAME OF SECOND JOINT INVENTOR<br>(if any)<br>Huang, Hsien-Chun   | INVENTOR'S SIGNATURE<br><i>Hsien-Chun Huang.</i> | DATE<br>04/17/01 |
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| FULL NAME OF THIRD JOINT INVENTOR<br>(if any)<br>Tzou, Ching-Kae  | INVENTOR'S SIGNATURE<br><i>Ching-Kae Tzou</i> | DATE<br>04/17/01 |
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